

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Deborah Stewart,
Plaintiff

vs

The Proctor & Gamble Company, et. al.,
Defendants

Case No. C-1-04-721
Case No. C-1-05-337
(Hogan, M.J.)

ORDER

This matter is before the Court on Defendant's Motion to Consolidate (*Stewart v. P&G*, Case No. C-1-04-721, Doc. 24; *Stewart v. P&G*, Case No. 05cv337, Doc. 3). Defendant Proctor & Gamble Company ("P&G"), moves, pursuant to Federal Rule of Civil Procedure 42(a), to consolidate Plaintiff's action bearing the docket number C-1-05-337 under the lowest docket number, C-1-04-721. To date, Plaintiff has filed no response to Defendant's motion.

The Court previously consolidated four cases filed by pro se Plaintiff under docket number C-1-04-721. (*See Stewart v. P&G*, Case No. C-1-04-721, Docs. 12, 25). All four cases were filed by Plaintiff against P&G and arose from the termination of Plaintiff's employment with P&G in February 2003. The four cases also presented common questions of both fact and law, namely the legality of her termination as well as the employee union's failure to represent her fairly and in good faith. Following the consolidation of those four cases, Plaintiff filed a fifth Complaint in the Hamilton County Court of Common Pleas, which P&G removed to this Court on May 17, 2005, and which was assigned the docket number C-1-05-337. Defendant P&G now requests an order consolidating this latest action with the four earlier consolidated cases.

Plaintiff has also named as Defendant in this action, the union at P&G, the

Employees' Representation Association ('ERA'). Defendant P&G represents that this Defendant has no objection to the consolidation of this case under Case C-1-04-721.

We find that, for good cause shown, Defendant's motion (*Stewart v. P&G*, Case No. C-1-04-721, Doc. 24; *Stewart v. P&G*, Case No. 05cv337, Doc. 3) shall be GRANTED. Case No. C-1-05-337 shall, therefore, be consolidated under the lowest docket number C-1-04-721.

SO ORDERED.

Date: 7/11/2005

s/Timothy S. Hogan
Timothy S. Hogan
United States Magistrate Judge